G. R. S. IX-5]

Previous references.

Reserve

1917-18

(Courts)

File No. 63-17

Serial Nos. 1 to 8

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 8

Part B for April 1918

SUBJECT.

Closing of the Munsiff's Courts at Tumkur on account of Plague.

W D 58—GPB—50,000—24-7-16

Md Abdur Rahman

17-6-1918

G. R. S. 11] 1917.

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

File No. 63-17

FILE HEADING.

Closing of the Munsiffs' courts at Tumkur on account of plague.

From

The Registrar, Chief Court.

No. R.O.C. 283/1917-18 Dated 7.9.17 Received 10.9.17

Diary No. J. 591	Enclos. 1 Spare Copies.	Serial No. 1.

BRIEF ABSTRACT OF LETTER.

States that the District Judge, Bangalore, has been authorised to give effect to his recommendation to close the two Munsiffs' Courts at Tumkur for three weeks owing to the prevalence of plague.

NOTES AND ORDERS.

It is not clear if the action of the Chief Court requires the approval of Govt. If there is to be a corresponding reduction in the vacation of the Courts during the year, no such approval seems necessary; vide Sec 22 of the Civil Courts Regn.

NOTES—First Sheet.

ND 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2]

General and Revenue Secretariat. | cts File No. 63 of 1917-18.

Serial No.

6) The letter appellant does not urge these points. If approved an enquiry will be made.

SB 4/10

1418/5.10

Dist. Mem. 7) Yes - the case will be struck off the cause list when appeal is withdrawn if not, why!

5/10

7) Draft submitted 8/10

8) Draft sd 5/10

9) Done today SB 8/10.

2 To The Registrar Chief Court no D 1267 8th Oct 1917 Enquires whether a notification re the closing of the courts has been issued for publication in the Gazette

3 From The Registrar, Chief Court no 69-0-C 283 of 7.11.17 17-18 Explains why a notification was not published in the Gazette & states in regard to the other point that Mr DK Rama Rao now at Jumkur will have todo without vacation next year or in case he wants the vacation

NOTE—Contn. sheet.

10 34

[G.R. S. 12]

General and Revenue Secretariat.

ct File No. 63 of 1917

Serial No.

the will have to exchange places with Mr Ranga Iyengar at Doddaballapur during the vacation period

Submitted.

A notification has appeared in this weeks Gazette regarding the closure of the Courts from 3.9.17 to 11.10.17.

Addr 10/11

The 12 The Chief Court have issued the necessary notification. They now realise the difficulties caused by the closing of the Courts. They admit that the Munsiffs Courts cannot be closed during the next vacation, as under the Regulation the Courts can be closed only once in the year for all the Courts. As regards the two Munsiffs, Mr Narasingachar contributes as Munsiff of the Company Court, and he had the advantage of many Courts' leave now, he can be asked to work during the next vacation. As regards Mr Ranga Iyengar, who has since been transferred to Doddaballapur, he must work during the next vacation at Punkur as suggested by the Chief Court. If approved, the Chief Court will be informed that the suggestion contained in the last sentence is approved, that a reference may be made to Govt on this matter in the early part of March next.

1767 12/11.

NOTE—Contn. sheet.

12/11

First Member 13 Yr Secy 12/11/17

GPB—65,000—17-6-12

G.R.S. III–3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

18 Submitted.

Attention is invited to the Chief Court notification dt 15/12/17 published in this week's Gazette re Civil Court Holidays for 1918. It will be seen that in regard to the annual vacation, the Municipal Courts at Tumkur have not been excluded. Orders are solicited as to the action if any, necessary in the matter.

19 Please put up draft inviting attention to the recent letter sent in the matter.

Draft subd

5

To the Registrar, Chief Court

No J 2345 dt 4.1.18.

Invites attention to this office No J-200 dt 7.12.17 enquiries whether the Municipal Courts at Tumkur can have the benefit of the vacation during April & May next as notified in the Gazette

N.B.—*Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.*

1803

WD 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2

General and Revenue Secretariat.

C5 File No. 63 of 1917.

Serial No. 6

From the Registrar, chief cant

R.O.C 625/19.1.18 & 4.2.18

Forwards copy of the Chief Cant's letter dt 2.2.18 directing that the two Munsiffs' Cants at Tuticorin should continue to work during the next Summer vacation, and state that Mr D.R. Rama Rao, 1st Munsiff has been directed to work as First Munsiff during the period & have the benefit of Rs 150 & 188, M.S.R. as it was considered not desirable to transfer Mr Rangaraya from Dodballapur for the short period of six weeks.

Submitted for orders

6/2 W.K. The arrangements regarding the Tuticorin Cants are unsuitable. But what about Mr Ranga Rayar's right to double vacation?

Put up with letter from Registrar

7/2 Returned from Legislative

Sd with a draft to the Hon'ble Chief Cant, for approval or orders.

27/2

W favours opinion that the question may be dropped.

H 2169-17

Submd.

24/3.

Hon'ble Chief Cant in the special circumstances of the case

12-3-18

NOTE—Contn. sheet.

For III

WD 1233—GPB—60,000—1-12-16—S.

1800
2395.

G. R. S. III-2)

General and Revenue Secretariat.

C5 File No. 63 of 1917.

Serial No.

28/ Submitted
Apr 12/3 Wlc

29/ In favour of orders
& Mps

First Memory 30/ draft approved Legal Remembrancer
31/
12/3/18

32/ I. ing & Mps

3140
12/3/18
Sub A
20/3 Wlc

7 To The Registrar Chief Court.
No 3813 18th Mar. 1918

States that nothing is mentioned in his letter about Dr. B. Rangaiengar's right to double Vacation and calls for the views of the Judges in the matter.

8 From The Same Office No. 790 & 5.4.18

States that the Judges do not think that it is necessary that anything should be done.

Subd. Should the course suggested by the Chief Court in their present communication in regard to the treatment of the period in question as privilege leave to Mr. Rangiengar be adopted, it seems to work as a hardship, since Mr. Rangiengar did not want the leave voluntarily. The Financial Branch has no objection to drop the matter (Vide para 27 supra)

K.N. 9.4.18
Wlc.

NOTE—Contn. sheet.

2395

G. R. S. III-2]

General and Revenue Secretariat.

ch File No. 63 of 1917.

Serial No.	
	Submitted for favour of kind perusal. If approved, the papers will be filed & 9/4
	Hon'ble Member.
	10/4
	10/4
	10/4

NOTE—Contn. sheet.

M.S.C.No.283/1917-18. 6m1

Chief Court of Mysore,

Bangalore, 6th September 1917.

From

N. T. GOPALIENGAR, Esq., B. A., LL. B.,

Registrar of the Chief Court of Mysore.

To

C. S. BALASUNDARAM IYER, Esq., B. A.,

Secretary to the Government of Mysore,

General Department.

S i r,

The Secretary of the Law Association of Tumkur sent to this Court on the 30th of August 1917 a telegram requesting that the Munsiffs' Courts at Tumkur may be closed for a period of three weeks owing to the prevalence of plague in Tumkur. The District Judge of the Bangalore Division who was asked to report whether there was a real necessity for the proposed closure, consulted the Deputy Commissioner and the health officer in the matter, and on this advice has recommended that both the Munsiffs' Courts at Tumkur should be closed for three weeks. The District Judge was accordingly authorised to give effect to his recommendation.

I am directed to forward herewith for the information of the Government a copy of the District Judge's report No.1179/150 dated the 4th Instant.

I have the honor to be,

S i r,

Your most obedient servant,

N. T. Gopaliengar

REGISTRAR.

M.S.C.

G. R. S. VI—G/32]

SUBJECT..... V2 SW .....

.....

.....

Diary No. of letter replied to... 9591 ...

Section courts

File No. 63-1

Serial No. 2

GENERAL AND REVENUE SECRETARIAT,
(Courts)
, *the* 191 .

No. J 7267

Date of issue... 8/10/17 ...

To

Signed by... W. G. Srinivasa ...

The Registrar, Chief Court

Sir,

With reference to your letter no R.O.C. 283/1917-18 dt. 7.9.17 regarding the closure of the Munsiffs' Courts at Tumkur for a period of three weeks from 3.9.17 on account of the prevalence of plague, I am directed to request you to be so good as to state whether a notification to the effect has been issued for publication in the Gazette for the information of the public and if not, why it has not been done. Since the said courts cannot, under Section 22 of the Civil

over.

court Regulation, have the usual annual vacation in April (May next, I am to already enquire how it is proposed to deal with the case of the Munsiff who enjoys rest now owing to the closure of the Court and who has been transferred to another place before the vacation, and of the Officer coming in his place who cannot have the benefit of the vacation

I have
&c &c
Sd/-
Harvey Wigram
Gen. Dept.

8/10

List of enclosure

Copied by

Examined by

WD 86—GPB—60,000—15-11 16

DIARY NO. J.1036.

R.O.C. NO. 283
1917-18

CHIEF COURT OF MYSORE, 63-17
BANGALORE, 3

Dated 2nd November 1917.

From

N.T. GOPALIENGAR, ESQ., B.A., LL.B.,
REGISTRAR OF THE CHIEF COURT OF MYSORE,
Bangalore.

To

C.S. BALASUNDARAM IYER, ESQ., B.A.,
CHIEF SECRETARY TO THE GOVERNMENT
OF MYSORE,
Bangalore.

SIR,

In reply to your letter No. J.1267/Cts.63-17-2 dated the 8th October 1917, I am directed to state that as it was not possible to know definitely how long the Munsiffs' Courts at Tumkur would have to remain closed whether for a period of three weeks only or more no notification was published in the Gazette. A notification shewing how long the Courts remained closed and when they were reopened will be published in the next issue of the Mysore Gazette.

As regards the other point raised in your letter, I am to state that in the absence of any provision in the Civil Courts Regulation other than Section 22 empowering the Chief Court to close the Courts temporarily it may be necessary to treat the period during which the Courts remained

closed

R. S. VI—G/32],

SUBJECT.....

.....

.....

Diary No. of letter replied to...J.1034...

Section Courts
File No. 63-17
Serial No. 4

GENERAL AND REVENUE SECRETARIAT,
(Courts)
, *the* 191 .

No. J2000

Date of issue...7-12-1917...

To

Signed by...for G. Greenwood...

The Registrar, Chief Court

Sir,

With reference to the correspondence ending with your letter no Roc 283 of 19/7/18 of 7.11.1917 regarding the closure of the munsiffs' courts at Jumjur in Sept^r and the arrangement for keeping those courts open during the vacation next year, Oct^r last on account of Plague I am directed to state that Govt approve of the suggestion contained in the last sentence of your letter and to request that a reference may be made to Govt in the matter in the early part of March next.

I have

for Chief Secy

Asst 21/11

R.O.C. No. 625/1917-18. Encl

1917-1918 Courts 63-17

Chief Court of Mysore,
Bangalore.
Dated 2nd February 1918.

6043

From

N.T. GOPALIENGAR, Esquire, B.A.,LL.B.,
Registrar of the Chief Court of Mysore.

To

C.S. BALASUNDARAM IYER, Esquire, B.A.,
Chief Secretary to the Government of Mysore,
Bangalore.

Sir,

Adverting to correspondence ending with your letter No. J. 2345/Cts. 63-17 dated the 4th January 1918, enquiring whether the Munsiffs' Courts at Tumkur can have the vacation during April and May next as notified in the Gazette, I am directed to forward herewith for the information of the Government a copy of this court's notification R.O.C. No. 625 of 1917-18 of this date directing that the two Munsiffs' Courts at Tumkur should continue to work during the ensuing summer vacation allowed to the subordinate civil courts in the State as those courts have had their vacation already.

As for the Munsiff who is to preside over the first court at Tumkur during the period, about which a reference was called for in your letter No. J.2000/Cts. 63-17-4 dated the

IN THE CHIEF COURT OF MYSORE AT BANGALORE.

Notification R. O. C. No. 625 of 1917-18

dated the 2nd February 1 9 1 8.

It is hereby notified for the information of the general public that the period during which the Munsiffs' Courts at Tumkur remained closed (from the 3rd Septr. 1917 to the 11th October 1917, both days inclusive, vide this Court's Notification R.O.C. No.265 of 1917-18 dated the 2nd November 1917 published in page 1813, part II of the Mysore Gazette dated the 8th November 1917) was treated as vacation under section 22 of the Mysore Civil Courts Regulation and that the said Munsiffs' Courts will not be closed during the usual annual vacation from Monday the 15th April 1918 to Saturday, the 25th May 1918 (both days inclusive) allowed to the subordinate Civil Courts in the State vide this Court's Notification dated the 15th December 1917 published in page 2005, Part II of the Mysore Gazette dated the 20th December 1917 but that those Courts will continue to work during the said period.

R. Gopalaswamy

REGISTRAR.

G.K.

G. R. S. VI—G/32]

SUBJECT..... Arrangement for the First Munsiff's work at Tuticorin during the next vacation

Diary No. of letter replied to.....J-1800.....

GENERAL AND REVENUE SECRETARIAT,
(Courts)
, *the* 191 .

Section Courts
File No. 63-17
Serial No. 7

No. J 3813

Date of issue..... 18/3/18

To

Signed by..... Mr. G. Sreenivasa

The Registrar, Chief Court

Sir,

With reference to the correspondence ending with your letter no. R.O.C. 625/1917-18 stating that Mr. D.K. Ramarao, First Munsiff, Tuticorin, will work during the next vacation to have the benefit of Articles 186 & 188 M.S.R., I am directed to state that nothing is mentioned in your letter about Mr. B. Rangaraya's right to double vacation & to request that the views of the Judges in the matter may kindly be furnished.

over.

I have &c.

For Chief Secretary

R.O.C.No. 790/1917-18.

Chief Court of Mysore,

Bangalore, dated the 3rd April 1918.

J2395

REC 8 APR 1918

13565

From

N.T.Gopaliengar, Esq., B.A., LL. B.,

Registrar of the Chief Court of Mysore.

REV.SECRETARIAT III 8-APR 1918

To

C.S.Balasundaram Iyer, Esq., B.A.,

Chief Secretary to the Government of Mysore.

S i r ,

Adverting to correspondence ending with your letter No. J.3813/Cts. 63-17-7 dated the 18th March 1918 stating that nothing was mentioned in this office letter No. R.O.C. 625/1917-18 dated the 2nd/4th February 1918 about Mr. B.Rangaiengar's right to double vacation and calling for the views of the Judges in the matter, I am directed to state that the Judges do not think it is necessary that anything should be done. Mr.B.Rangaiengar happens to be fortunate owing to an unexpected event, and no one suffers by his good fortune. No one, of course, in the Judges' opinion, has any right to a double vacation, but no one need be grudged the opportunity of getting it if it comes his way accidentally. The so called vacation in October last could not have been much of a holiday for Mr.Rangaiengar as he had to be ready to go back to duty at any time. But it may reasonably be considered that the period during which the courts were closed may be counted as an interruption of duty within the meaning of Articles 161 and 166 of the Service Regulations, so that Mr.Rangaiengar will lose any privilege leave he may have earned before that time, or

preferably

preferably that that period may be counted as if it were a period of privilege leave to be deducted from the privilege leave earned, in calculating the amount of privilege leave due to Mr. Rangaiengar under Articles 166 and 185.

I am to add that the Judges would be willing to keep the court open at Dodballapur but they think that that would be hard on practitioners and the establishment who have done nothing to forfeit their annual holiday.

I have the honor to be,

S i r ,

Your most obedient servant,

REGISTRAR.